

## **WASHBURN PARISH COUNCIL – COMPLAINTS PROCEDURE**

Washburn Parish Council is committed to providing high quality services to its residents - but in any organisation things sometimes go wrong. Where people contact us to say we have not provided a satisfactory service, we treat this as a complaint and take it very seriously.

### **What is a Complaint?**

The complaints procedure does not cover initial reports to the Council about problems or defects (such as damage to equipment) but if you are not satisfied with the response you can use the Complaints procedure.

Neither is it an appeals system against Council decisions which were properly taken, or as a means of arbitration. It exists to check that everything is done properly and that correct procedures and policies were followed.

A complaint is an expression of dissatisfaction about the standard of service provided by the Council or its staff. The following procedure is intended to cover those situations which are not simply requests for services but where things have gone wrong. It does not normally apply where a complaint could be pursued through the Courts or there is a formal right of appeal.

### **Our Aim**

Our aim is to swiftly investigate all complaints in an impartial manner and to find a solution locally, whenever possible, to the satisfaction of both the complainant and the Council.

### **How to make a Complaint**

1. The following procedure will be adopted for dealing with complaints about the Council's administration or its procedures. Complaints about procedure on a policy decision made by the Council will be referred back to the Full Council, or relevant Committee, as appropriate, for consideration.

2. This procedure does not cover complaints about the conduct of a Member of the Parish Council. All complaints concerning Councillors are dealt with through the Standards Board and the Clerk will provide any complainant with the details of how that type of complaint is managed.
3. If a complaint about procedures, administration or the actions of any of the Council's employees is notified orally to a Councillor, or to the Clerk of the Council, a written record of the complaint will be made, noting the name and contact details of the complainant and the nature of the complaint.
4. The complainant will be asked to put the complaint in writing (letter/e-mail/standard form) to the Clerk of the Council. The complaint will be dealt with within 14 working days of receipt. The Council will not generally deal with anonymous complaints, but you can be assured of confidentiality where this is appropriate or requested.
5. If the complainant prefers not to put the complaint to the Clerk of the Council (because the matter relates to the Clerk, for example,) he or she should be advised to write to the Chair.
6. (a) On receipt of a written complaint, the Clerk (except where the complainant is about his or her own actions) or Chair of Council (if the complaint relates to the Clerk), or another member of staff, will seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him or her an opportunity to comment. Efforts should be made to resolve the complaint at this stage.  
  
(b) Where the Clerk of the Council or a Councillor receives a written complaint about the Clerk's actions, he or she shall refer the complaint to the Chair of Council. The Clerk of the Council will be formally advised of the matter and given an opportunity to comment.
7. The Clerk of the Council (or Chair of Council) will report any complaint dealt with by direct action with the complainant to the next meeting of the Full Council or other relevant Committee.
8. The Clerk of the Council (or Chair of Council) will report any complaint that has not been resolved to the next meeting of the Full Council or other relevant Committee. The Clerk will notify the complainant of the date on which the complaint will be considered and the complainant will be offered an opportunity to explain the complaint to the meeting orally.
9. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures.

10. The Council may consider whether the circumstances of any complaint warrant the matter being discussed in the absence of the press and public, but any decision on the complaint will be announced at the relevant Council meeting in public.
11. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
12. As soon as possible after the decision has been made (and in any event not later than 10 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken.
13. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.

Please note: There is currently no external agency or government body who can investigate a complaint.