

NETTLEHAM PARISH COUNCIL

COMPLAINTS POLICY & PROCEDURE



POLICY AIM

The aim of this policy is to assist the Parish Council to deal with complaints received. Nettleham Parish Council is committed to providing a quality service for the benefit of the people who live or work in its area, or are visitors to the locality. The Council will listen to complaints, respond fairly and will use any feedback to help make improvements to the services it provides.

NATURE OF COMPLAINTS

The Council's Complaints Policy relates to complaints received against the Council as a body, including complaints about the administration and procedures arising from the handling of a matter e.g. the process by which a decision is taken by it, as opposed to the decision itself. The Parish Council **is not** able to deal with all types of complaint and may need to refer complainants to other bodies or use alternative procedures.

Nature of complaint	Refer to
Financial irregularity	Local electors have a statutory right to object to Council's accounts/Annual Governance and Accounting Return – e.g. they can complain to the external auditors appointed by the Smaller Authorities' Audit Appointments Ltd (PKF Littlejohn)
Criminal activity	The Police
Councillors conduct	A complaint relating to a Councillors failure to comply with the Code of Conduct must be submitted to the Monitoring Officer at West Lindsey District Council – (including complaints made by employees about a Councillor's conduct)
Employee conduct	These matters are dealt with under the Council's Disciplinary and Grievance Procedures – (includes any complaints made by an employee against another council employee)
Criticism about a service – e.g. about an untidy park area or a fee charged for a service	These do not fall within the formal complaints procedure and will be treated as normal service requests (unless the Council has acted improperly)

MAKING A COMPLAINT

The most appropriate time for influencing Council decision-making is by raising concerns before the Council debates and votes on a matter as the Council's Standing Orders **may** prevent the Council from re-opening an issue already decided upon, for a further six months (unless there are exceptional grounds that may consider this necessary).

PROCESS

a) Informal Complaints:

The Clerk will acknowledge receipt of the complaint. In instances where less formal measures or explanations can be provided, by the Clerk, issues will generally be resolved in this way. The Clerk will notify the complainant with the outcome, within 20 working days along with what action, (if any) the Council proposed to take as a result of their complaint. In exceptional cases the 20 working day timescale may need to be extended and they will be kept informed. Subsequently, if the complainant does not consider the complaint to have been resolved, then the formal complaints procedure will be followed.

b) Formal Complaints

Formal complaints will be acknowledged, and then considered by the Council or by a Panel established for the purpose of hearing complaints.

In writing - Complainants will be asked to put their complaint, about the council's procedure or administration, in writing, to the Clerk or other nominated Officer, as directed. If they experience difficulty in doing this, the Council's staff, will provide reasonable assistance to help them. Alternatively, they can make their complaint directly to the Chairman of the Council who will report the matter to Council, if they do not wish to report your complaint to the Clerk.

Before the meeting where the complaint is to be heard

The Clerk or Chairman, as appropriate, will acknowledge receipt of the complaint. The complainant should also be advised whether their complaint will be treated as confidential. The Council will convene the Panel or Council meeting and date to consider the complaint. The complainant **may** also be invited to attend the meeting and to bring a representative, with them.

Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied upon. The Council shall also provide the complainant with copies of any documentation upon which they wish to rely upon.

At the meeting

The Panel or Council will consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting, in public unless the complaint is considered under closed session.

The Complainant (or representative) should outline the grounds for complaint and thereafter questions **may** be asked by (i) the Clerk or nominated Officer and then (ii) by Councillors. The Clerk/Officer and then the complainant should be offered the opportunity to summarise their position.

The Clerk/Officer and complainant/representative will be asked to leave the meeting room. If a point of clarification is necessary, all parties will be invited back. The complainant should be given the opportunity to wait for the decision, or advised when the decision is likely to be made and when it is likely to be communicated to them.

After the meeting

The decision should be confirmed in writing, within seven working days, together with details of any action to be taken.

Persistent Complainants

The Council recognises that on occasions, a small number of complainants who because of the frequency of their contact with the Council, hinder our consideration of their or other people's complaints. We will take action to limit their contact with our office. The decision to restrict access to our office will be made by the Parish Council and any restrictions imposed will be appropriate and proportionate. The options we are most likely to consider are:-

- Requesting contact in a particular form (for example, letters only);
- Requiring contact to take place with the Clerk and with a Councillor, also in attendance.

In all cases where the Council decide to treat someone as a persistent complainant, we will write to tell the person why we believe his/her behaviour falls into that category, what action we are taking and the duration. The situation will be reviewed in three months and if there are no issues for two clear reviews (i.e. six months) then they will no longer be classed as a persistent complainant.

If a persistent complainant whose case is closed persists in communicating with the Council about it, the Council may decide to terminate contact with them. In such cases, we will read all correspondence from that complainant, but unless there is fresh evidence which affects our decision on the complainant we will simply place it on file with no acknowledgement. New complaints from people who have come under the persistent complainant's policy will be treated on their merits.

Adopted by Nettleham Parish Council – 14 January 2020

Reviewed & adopted at the Annual Meeting of Nettleham Parish Council – 31.05.22

Reviewed & adopted at the Annual Meeting of Nettleham Parish Council – 16.05.23

Review Date: 31.05.2024